

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Application Division
Wolfgang HERZING) Washington, D.C.
Serial No.: 10/525,414)
Filing Date: August 7, 2002) Confirmation No. 5100
For: COPPER-BASED METAL FLAKES...) Date: April 4, 2007

RESPONSE TO NOTICE TO FILE MISSING PARTS OF PROVISIONAL APPLICATION

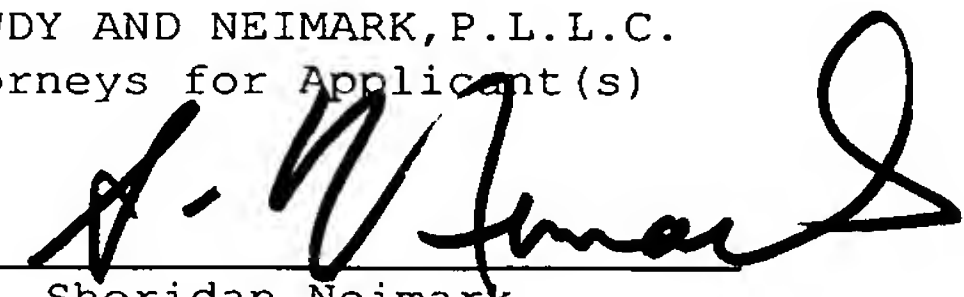
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the " NOTIFICATION OF INSUFFICIENT FEE UNDER 35 USC 371 " dated March 26, 2007. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by PCT information and priority information.
- [XX] Search Fee [] \$200.00 (Small Entity) [XX] \$400.00 (Large Entity)
- [XX] Examination Fee [] \$100.00 (Small Entity) [XX] \$200.00 (Large Entity)
- [] Applicant claims small entity status. See 37 CFR 1.27.
- [] Preliminary Amendment.
- [] An Information Disclosure Statement with 08A-B and references is also attached.
- [] Late Oath or Declaration Surcharge [] \$25 for a Small Entity
- [XX] **Total Fees: \$730.00**
- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).
The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | Small Entity | | Other Than Small Entity | |
|-----------------------------|--------------|-----------------------------|--------------|
| Response Filed Within | | Response Filed Within | |
| [] First | - \$ 60.00 | [] First | - \$ 120.00 |
| [] Second | - \$ 225.00 | [] Second | - \$ 450.00 |
| [] Third | - \$ 510.00 | [] Third | - \$1,020.00 |
| [] Fourth | - \$ 795.00 | [] Fourth | - \$1,590.00 |
| [] Fifth | - \$1,080.00 | [] Fifth | - \$2,160.00 |
| Month After Time Period Set | | Month After Time Period Set | |
- [XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$730.00 is enclosed to cover the above fees.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: 
Sheridan Neimark
Registration No. 20,520

SN:dac
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\R\rau\HERZING1\pto\2007-04-04transmittal

RAH.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,414	Wolfgang Herzing	HERZING1

INTERNATIONAL APPLICATION NO.

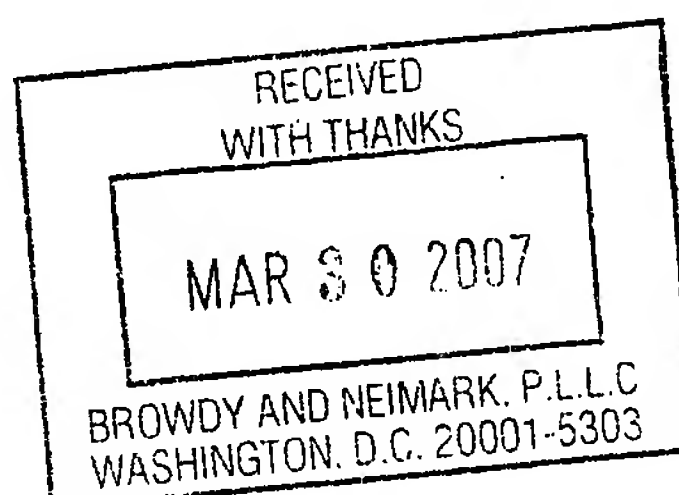
PCT/EP03/08730

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

08/07/2002

1444

BROWDY AND NEIMARK, P.L.L.C.
 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303



CONFIRMATION NO. 5100

371 FORMALITIES LETTER



OC000000018140323

Date Mailed: 03/26/2007

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/22/2005
- Copy of the International Search Report filed on 02/22/2005
- Copy of IPE Report filed on 02/22/2005
- Preliminary Amendments filed on 02/22/2005
- Information Disclosure Statements filed on 02/22/2005
- Oath or Declaration filed on 02/22/2005
- Request for Immediate Examination filed on 02/22/2005
- Copy of references cited in ISR filed on 02/22/2005
- U.S. Basic National Fees filed on 02/22/2005

MSP - 26MY2007.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$600** for a Large Entity:

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,414	PCT/EP03/08730	HERZING1